

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

George Liggins 14A1131
Wapping Correctional Facility, P.O. Box 501
Albany, NY 12011-0501

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

Police Officer Joseph Bernuckez of the
48th Precinct in his official & individual capacity

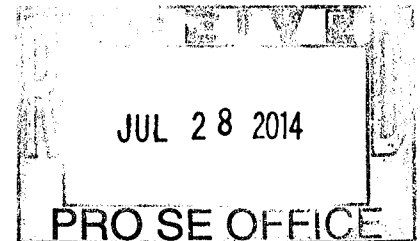
AMENDED
COMPLAINT

under the Civil Rights Act,
42 U.S.C. § 1983

Jury Trial: ☒ Yes ☐ No
(check one)

13 Civ. 6053 (DWS)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)



I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff's Name George Liggins
ID# 14A1131
Current Institution Wapping Correctional Facility
Address P.O. Box 501
Albany, NY 12011-0501

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name Police Officer Joseph Bernuckez Shield # _____
Where Currently Employed 48th Precinct
Address One Police Plaza 450 Cross Bronx Expressway
New York Bronx, NY 10457-17401

Defendant No. 2 Name _____ Shield # _____
 Where Currently Employed _____
 Address _____

Defendant No. 3 Name _____ Shield # _____
 Where Currently Employed _____
 Address _____

Who did
what?

Defendant No. 4 Name _____ Shield # _____
 Where Currently Employed _____
 Address _____

Defendant No. 5 Name _____ Shield # _____
 Where Currently Employed _____
 Address _____

II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur?

See Attached Brief Statement of Facts, as follows:

B. Where in the institution did the events giving rise to your claim(s) occur?

Sutterly Blvd, East Tremont, Bronx, New York 10460

C. What date and approximate time did the events giving rise to your claim(s) occur?

March 17, 2013, at approximately 11:37 pm

D. Facts: See Attached Brief Statement of Facts in this Complaint
as follows:

What
happened
to you?

Was anyone else involved?

Who else saw what happened?

III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

Plaintiff's suffered from extreme emotional trauma; severe mental distress at the hands of New York City's Public & Civil Servants. As well as the Police Officers of the City of New York, N.Y 10013, Police Department One Police Plaza; the Bronx County District Attorney Office Mr. Robert T. Johnson & his agents A.D.A located at 198 East 161 Street, Bronx, New York 10451

IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes ____ No ☒

Dated: July 22, 2014

George Liggins 14A131
Wyoming Correctional Facility
P.O. Box 501, Attica Ny 14011-0501

Brief Summary of Facts

- 1) On or about March 17, 2012 at approximately 11:37 pm located on the corner of Southern Blvd & East Tremont Ave Bronx, New York 10410, Plaintiff George Liggins was arrested & charged with Criminal Possession of a Weapon in the Third Degree, Penal Law Section 265.03, as well as other related offenses of the Penal Law
- 2) The Plaintiff: two unidentified associates exited a Chinese Food Restaurant after receiving their order & proceeded southbound on Southern Blvd. As plaintiff proceeded to walk south on Southern Blvd. & cross the intersection he noticed a Black Lincoln Town Car slowly trailing behind him. As the Lincoln Town Car closed the distance between itself & the Plaintiff he was immediately filled with fear & dread. The windows of the vehicle began to lower & the Plaintiff took inventory of three middle aged caucasian males staring at him. The caucasian male closest to the right passenger front seat exited & immediately all three males placed their hands on the wall to be searched without stating the reason or probable cause behind the search. Plaintiff initially refused under the premise that the search was illegal & "didn't feel right". The male who gave the order, then identified himself as an officer, removed handcuffs from his waist area to physically restrain the plaintiff, while the search was conducted. The illegal search yielded in the recovery of a blade from plaintiff's back jean pocket which happened to be buttoned. Plaintiff was then placed in the rear passenger of the Black Lincoln Town

Car. In route to the precinct plaintiff expressed his dismay at being incarcerated because he had a flight to make, to return to school. In which case one of the cops responded in a joial tone "Well you could leave tonight with a § 90.40 Desk Appearance Ticket. All you have to do is tell us the location of a firearm." Plaintiff admitted he knew of no such locations, he was then taken to the 48 precinct in the Bronx County; detained.

Henry Higgins

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes _____ No _____ Do Not Know _____

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes _____ No _____ Do Not Know _____

If YES, which claim(s)?

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes _____ No _____

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes _____ No _____

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

1. Which claim(s) in this complaint did you grieve?

2. What was the result, if any?

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process.

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

2. If you did not file a grievance but informed any officials of your claim, state who you informed, when and how, and their response, if any:

- G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. Relief:

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount).

Plaintiff George Liggins will sue the City of New York Employees, agents & Defendants New York City Police Department. ~~the~~ Joseph Bernudez, in his official & individual capacity, for deliberate indifference, malice and cruel & unusual punishment, for false imprisonment & illegal detention, warrantless arrest, without probable cause, for the bogus alleged charges filed therein, by the hands of agents of City of New York police Department, Plaintiff will sue in the amount of Two Million Dollars. Compensatory Damage, to compensate Plaintiff for his suffering, extreme emotional distress disorder, trauma, false traumatization, and for Punitive Damage in the amount of \$100,000.00 Thousand Dollars for Cruel & Unusual Punishment of deliberate indifference & malicious acts, and illegal force/false imprisonment & detention; for

boys changes filed therein

On
these
claims

VI. Previous lawsuits:

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes ____ No X

B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff _____

Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes ____ No ____

If NO, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

On
other
claims

C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?

Yes ____ No X

D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff _____

Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes _____ No _____
If NO, give the approximate date of disposition _____
7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 22 day of July, 2014.

Signature of Plaintiff George Higgins
Inmate Number 14A1131
Institution Address Wyoming Correctional Facility
P.O. Box 501
Attica, Ny 14011-0501

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

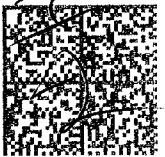
I declare under penalty of perjury that on this 22 day of July, 2014, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff: George Higgins
George Higgins 14A1131
Wyoming Correctional Facility
P.O. Box 501
Attica, Ny 14011-0501

WYOMING CORRECTIONAL FACILITY

P.O. BOX 501
ATTICA, N.Y. 14011-0501

NAME: George Lingo DIN: 149131



UNITED STATES POSTAGE
\$00.9
02 1A
0004373155 JUL 23 2
MAILED FROM ZIP CODE 14

East Clark
United States District Court
Southern District of New York
U.S. Courthouse - 500 Pearl Street
New York, NY 10007

1000731315



Printed on Recycled Paper

Legal Mail



NAME: George Lingo DIN: 149131

DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
OFFENDER CORRESPONDENCE PROGRAM
NEW YORK STATE